

ALANNA D. COOPERSMITH, SBN 248447

Attorney at Law,
717 Washington Street
Oakland, California 94607
T-(510) 628-0596
F-(866) 365-9759
alanna@eastbaydefense.com

Attorney for Defendant,
James Pegueros

UNITED STATES DISTRICT COURT, NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JAMES PEGUEROS,

Defendant.

Nos. 22-CR-43 WHO, 15-CR-543 CRB

**STIPULATION AND ~~PROPOSED~~
ORDER FOR CONTINUANCE OF
STATUS AND EXCLUSION OF TIME**

Defendant James Pegueros, by and through his counsel, Alanna Coopersmith, and the Government, by and through Assistant United States Attorney, Ilham Hosseini, stipulate and agree as follows:

Mr. Pegueros is charged with felon in possession of a firearm in violation of 18 U.S.C. 922(g) in Docket 22-CR-43 WHO. On the basis of the same underlying allegations, he is also charged with violation of supervised release in Docket 15-CR-543 CRB. On February 11, 2022, the government filed a Notice of Related Cases and both cases were assigned to the Honorable Charles R. Breyer. A status hearing is set in each matter for August 5, 2022.

To date, the government has produced tranches of electronic discovery, including surveillance and body-worn camera footage. Defense counsel is in the process of analyzing the discovery and reviewing it with her client at Santa Rita Jail. She requests a continuance of the status hearing to allow a sufficient opportunity to confer with the defendant and develop defenses for trial. At the same time, the parties are negotiating a potential resolution.

Therefore, the parties stipulate and agree to a continuance of the status hearing to September 28, 2022 and agree that that there is good cause for an exclusion of time under the Speedy Trial Act from August 5, 2022 to September 28, 2022, and that time should be excluded under the provisions of the Speedy Trial Act, 18 U.S.C. §§ 3161(h)(7)(A) and (B)(iv), for the purpose of effective preparation of counsel, taking into account the exercise of due diligence. *See* 18 U.S.C. § 3161(h)(7)(B)(iv). The parties stipulate, and ask the Court to find, that the requested exclusion of time is in the interests of justice and outweigh the best interest of the public and defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A). Furthermore, the parties concur that the status hearing in the related supervised release matter should be continued to the same date, September 28, 2022, and that the provisions of the Speedy Trial Act do not apply.

IT IS SO STIPULATED.

DATED: 8/4/2022

Respectfully submitted,

STEPHANIE HINDS
United States Attorney

/s/

ILHAM HOSSEINI
Assistant United States Attorney

DATED: 8/4/2022

/s/

ALANNA COOPERSMITH
Attorney for Defendant,
JAMES PEGUEROS

~~PROPOSED~~ ORDER


Based on the foregoing stipulation of the parties and for good cause shown, the Court finds there is good cause for an exclusion of time under the Speedy Trial Act for effective preparation of counsel and that an exclusion of time from August 5, 2022 to September 28, 2022, is in the interests of justice and outweighs the best interest of the public and defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A), (B)(iv).

It is hereby ORDERED that the status hearing in Docket 22-CR-43 and Docket 15-CR-543 shall be continued to September 28, 2022.

It is further ORDERED that the period from August 5, 2022 through September 28, 2022, be excluded from the time period for Speedy Trial calculations under 18 U.S.C. § 3161(h)(7)(A) and (B)(iv).

IT IS SO ORDERED.

DATED: August 5, 2022


HON. CHARLES R. BREYER
United States District Court Judge